



Managing Risk: Insurance Considerations for the Construction Industry

2017 Construction Law Section Winter CLE

LIVE • LIVE WEBCAST

Thursday, February 23, 2017
NC Bar Center, Cary

VIDEO REPLAYS (at printing)

Cary Wed., June 7, 2017

CLE CREDIT: 6.0 Hours

Includes 1.0 Hour Ethics/Professional Responsibility

UPDATES & REGISTRATION

www.tinyurl.com/CLE590CLP



Planned by the NCBA Construction Law Section

SUMMARY: This program is presented by an experienced construction and insurance faculty that includes both practitioners and consultants, utilizing a panel-based forum to encourage discussion and opportunities for audience participation through question and answer sessions.

Learn about the types and scope of insurance coverages available, common exclusions, eliminating gaps in coverage, and risk management strategies for advising clients on their insurance programs, as well as considerations for litigation of contested claims.

The North Carolina Bar Association Foundation is accredited by the North Carolina State Bar as a provider of continuing legal education.

NORTH CAROLINA
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Managing Risk: Insurance Considerations for the Construction Industry (2017 Construction Law Section Winter CLE)

#590CLP and #590LWC | February 23, 2017

FOUR WAYS TO REGISTER

ONLINE* www.ncbar.org/CLE • PHONE* 800.228.3402 • FAX* 919.677.1774
MAIL** Attn: Accounting, NCBA Foundation, P.O. Box 3688, Cary, NC 27519-3688

*Credit cards only. **Please make checks payable to the NCBA Foundation.

TUITION | LIVE • VIDEO REPLAY • WEBCAST | Select format and tuition rate below.

REGISTRANT TYPE	EARLY BIRD TUITION <small>Received one week prior to program date.</small>	REGULAR TUITION <small>Received less than one week prior to program date.</small>	WEBCAST TUITION
NCBA Construction Law Section Member	\$215 <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	\$265 <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	\$290 <input type="checkbox"/> Webcast
NCBA Member	\$235 <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	\$285 <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	\$310 <input type="checkbox"/> Webcast
NCBA Paralegal Division Member	\$155 <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	\$205 <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	\$230 <input type="checkbox"/> Webcast
Non-member	\$285 <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	\$335 <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	\$360 <input type="checkbox"/> Webcast
Full-time LANC Attorney (NCBA Member)	These categories do not qualify for Early Bird tuition.	\$155 <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	\$180 <input type="checkbox"/> Webcast
1st Year Licensed in NC (NCBA Member)		\$99 <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	\$124 <input type="checkbox"/> Webcast
CLE Passport Holder		6 tokens <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	6 tokens <input type="checkbox"/> Webcast
<input type="checkbox"/> Judge (NCBA Member) <input type="checkbox"/> Clerk of Court (NCBA Member) <input type="checkbox"/> Law Professor (NCBA Member)	These categories do not qualify for Early Bird tuition or include any MCLE fees.	\$75 <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	Choose from the applicable Webcast tuition options above.
<input type="checkbox"/> Law Student Division Member <input type="checkbox"/> Paralegal Division Student Member		\$25 <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	

VIDEO REPLAY LOCATIONS | For details and updates, see www.tinyurl.com/CLE590CLP.

Cary | #590BAR

Other (if applicable, from website): **City:** _____ | **Code:** #590 _____

REGISTRANT INFORMATION | Please print clearly.

590CLP=B

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Enclosed is a check, payable to the NCBA Foundation. Please charge my credit card.

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Program Agenda



Wednesday, February 22, 2017, 5:00–6:30p

5:00 **Reception** | More, 116 N. West Street, Raleigh

Thursday, February 23, 2017, 8:15a–4:15p

8:15a **Registration and Continental Breakfast** (Breakfast included at Live program only)

8:55 **Welcome and Introductions**
Carl J. Burchette, Parker E. Moore and Bryan G. Scott

9:00 **Establishing the Program: Insurance from the Owner's Perspective**
Russ Bell and D. Anderson "Andy" Carmen

- Establishing the program
- Working with insurance consultants
- Identifying risks
- Selecting coverages and limits
- Deductibles
- Property, casualty and personal property coverage
- Builders risk
- Understanding coverage and exclusions
- Additional insureds
- Incorporating bonds
- Drafting considerations
- Working with standard form contracts

10:15 **Break**
Sponsored by Berman Wright Architecture, Engineering & Planning LLC

10:30 **Designing the Project: Insurance for the Design Team**
Melissa Dewey Brumback, John C. Rogers III and Jessica C. Tyndall

- Identifying risks
- Professional liability insurance
- Understanding coverage and exclusions
- Design-build considerations
- Sustainable design issues
- Covered losses and damages
- Working with owners and contractors
- Drafting considerations

11:45 **Networking Lunch** (included at Live program only)

12:30p **Performing the Work: Insurance for Contractors and Subcontractors**
Ron Adams, Jody Barbee, Robert L. "Bob" Burchette and Lawrence W. Jones

- Identifying risks and coverage gaps
- Commercial general liability
- Pollution liability
- Commercial auto
- Builders risk
- Workers' compensation and the exclusivity bar
- Understanding coverage and exclusions
- Excess and umbrella coverages
- Design build considerations
- Drafting considerations
- Additional insureds
- Specialty subcontractor needs

2:00 **Break**
Sponsored by MBP

2:15 **Beyond the Basics: Specialty and Emerging Coverages**
David L. Brown

- Excess and umbrella coverages
- OCIP, CCIP and wrap policies
- Subguard
- Multi-state operations
- “Green” insurance
- Cyber coverage
- Unique specialty and emerging insurances

3:15 **Ethics—Protecting the Attorney: Legal Malpractice Avoidance***
Mark A. Scruggs

- Legal malpractice claims and trends in construction law
- Risk management strategies for avoiding claims

4:15 **Adjourn**

* Indicates portion providing Ethics/Professional Responsibility credit

IN OUR BOOKSTORE NOW!

North Carolina Construction Law Deskbook, Seventh Edition (2016)

Managing Editor: Gregory L. Shelton

This newly revised edition of the comprehensive NC Construction Law Deskbook discusses insurance coverage in the construction industry, which has become even more important as construction “defect” claims continue to grow not only in number, but also in complexity and cost. Important issues covered include:

- Various types of construction-related insurance referenced in the included Insurance Matrix table
- Details of common policies and coverages, as well as other types of insurance available
- Insurance products available to protect design professionals, such as architects and engineers

Also includes time-saving fillable/editable forms, contracts and letters, as well as sample ConsensusDocs and AIA forms!

Visit www.ncbar.org/CLE and click on *Publications* for more information.



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Program Information



Planners

- Carl J. Burchette, The Van Winkle Law Firm, Charlotte
- Parker E. Moore, Johnston Allison & Hord PA, Charlotte
- Bryan G. Scott, Spilman Thomas & Battle PLLC, Winston-Salem

Speakers

- Ron Adams, Baker Roofing Company, Raleigh
- Jody Barbee, Crowder Construction Company, Charlotte
- Russ Bell, Senn Dunn Insurance, a Marsh & McLennan Agency, Greensboro
- David L. Brown, Goldberg Segalla LLP, Greensboro
- Melissa Dewey Brumback, Ragsdale Liggett PLLC, Raleigh
- Robert L. “Bob” Burchette, Johnston, Allison & Hord PA, Charlotte
- D. Anderson “Andy” Carmen, Bell Davis & Pitt PA, Winston-Salem
- Lawrence W. Jones, Wells Fargo Insurance Services, Charlotte
- John C. Rogers III, Allen Moore & Rogers LLP, Raleigh
- Mark A. Scruggs, Lawyers Mutual Insurance Company of North Carolina, Cary
- Jessica C. Tyndall, Nationwide Insurance, Raleigh

We extend our sincere gratitude to the NCBA Construction Law Section and the planners and speakers who volunteer their time and expertise toward the goal of presenting an educational program of the very highest quality.

Sponsors (at time of printing)

- SILVER SPONSORS** • Berman Wright Architecture, Engineering & Planning LLC
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Hotel Information

Contact hotels directly for reservations at the special NCBA room rate. Rates are based on availability and may sell out.

- **Embassy Suites, 201 Harrison Oaks Boulevard, Cary**
Rate: \$169 Single/Double. Rate includes a full cooked-to-order breakfast and the manager’s evening reception.
Reservations: 919.677.1840 | **Reference Corporate ID:** NCB or NC Bar Rate
- **TownePlace Suites by Marriott, 120 Sage Commons Way, Cary**
Rate: \$114 studio queen with sleeper sofa (Sunday–Thursday). Rate includes a complimentary hot breakfast. All rooms come with a fully equipped kitchen.
Reservations: 919.678.0005 | **Ask for the NC Bar Association corporate rate.**

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**“The speakers and topics were great!
Very informative seminar!”**

—Attendee, *Construction Products and Services: Remedies,
Damages and Proof of Damages*